Message

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Sent: 4/11/2019 3:31:53 PM
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Subject: News Articles (For EPA Distribution Only)

BNA DAILY ENVIRONMENT REPORT ARTICLES

Sen. Tom Udall (D-N.M.) speaks about former EPA Administrator Scott Pruitt's budget request after a Senate Appropriations subcommittee hearing in May 2018 in Washington.

Photographer: Mark Wilson/Getty Images

News

EPA's Focus Must Be Hiring, Not Reorganizing, Sen. Udall Says

Posted April 10, 2019, 6:04 PM

By Abby Smith

- EPA's enforcement office lost 19 percent of staff since fiscal 2016, Sen. Tom Udall (D-N.M.) writes
- Udall, top Democrat on EPA funding panel, says he didn't oppose EPA regional reorganization

Trump EPA officials should focus more resources on filling vacant positions at the agency rather than reshuffling offices for the sake of efficiency, the top Democrat on the Senate panel overseeing EPA's budget says.

The request from Sen. Tom Udall (D-N.M.), the ranking member on the Senate appropriations panel responsible for the Environmental Protection Agency's funding, comes days before the EPA's reorganization of its 10 regional offices takes effect.

That effort, which reshuffles the regional offices to mirror the structure of EPA headquarters, will be final April 15, EPA Administrator Andrew Wheeler recently told state environment officials.

Udall didn't object to the EPA's regional reorganization, the senator wrote in an April 9 letter to Wheeler. Senate and House appropriators must give the OK for any major EPA reorganization.

But Udall is urging Wheeler to turn his attention toward the EPA's staffing losses.

"[O]ur Appropriations subcommittee has not made any funding cuts to any EPA program—yet, the agency has lost 8 percent of its workforce since fiscal year 2016," Udall wrote.

Some EPA offices have suffered even more acute staff reductions. The EPA's enforcement office has lost 19 percent of its staff in that period, according to Udall.

Workforce Plan

Udall, in his letter, asked Wheeler to provide a "comprehensive workforce plan" to meet the staffing levels laid out by Congress in fiscal year 2019 funding. That budget bill rejected Trump administration proposals for steep funding cuts and kept the EPA's budget steady at just over $8 billion.

"The time and expense spent on reorganizing and renaming existing offices stand in stark contrast to the agency's devastating staff shortage and failure to meet minimal milestones for mission-critical activities such as environmental enforcement," Udall wrote in his letter.

The senator is also requesting that Wheeler prioritize hiring enforcement staff.

Wheeler, in several recent budget hearings on Capitol Hill, told lawmakers he is concerned about the EPA's ability to hire and retain staff.

He repeatedly noted around 40 percent of the EPA's employees are eligible to retire in the next five years. Wheeler said he hired a new human resources director to help address the issue.

But Udall and other Democratic appropriators weren't satisfied with Wheeler's responses, especially because the administrator didn't dispute the Trump administration's fiscal year 2020 proposal that would cut nearly 2,000 EPA staff.

Udall is seeking a response from Wheeler by April 24.

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Abby Smith

Reporter

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- Udall letter

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(April 2, 2019, 12:07 PM)

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The Environmental Protection Agency building is shown Aug. 30, 2006, in Washington.

Photographer: Mark Wilson/Getty Images

News

EPA Wants Chemical Makers to Show Their Work on Secret-Keeping

Posted April 10, 2019, 2:50 PM

By Pat Rizzuto

- EPA details draft process for companies seeking to keep chemical identities secret
- Toxics law aims to balance business protections with public's right to know

Chemical manufacturers and processors would have to follow specific electronic procedures that detail their rationales for keeping secret the identity of chemicals they make or handle under an April 10 EPA proposal.

The Environmental Protection Agency's proposal, open for comment for 60 days, describes how it will review at least 7,757 chemicals with specific identities that their manufacturers, importers, or processors claim should be kept secret.

The EPA says companies claiming confidentiality for "active" chemical substance identities must substantiate those claims electronically.

"We continue to be committed to fostering transparency about information on chemicals while protecting verified confidential information," said Assistant Administrator for the EPA's Office of Chemical Safety and Pollution Prevention Alexandra Dapolito Dunn on April 10.

Inventory Only

The chemicals are listed on the EPA's confidential inventory of compounds "active" in commerce during the 10-year period ending June 21, 2016. That means the EPA and approved contractors know what the chemical is, but not the public or competitors.

Companies making or using confidential chemicals provide the public a generic name roughly describing their chemical that doesn't allow competitors to replicate it.

Protecting this proprietary information is vital to companies who invest in the development or new application of a chemical.

Yet knowing the identity of a chemical that may be causing health or environmental problems can help industrial hygienists protect workers, researchers investigating community concerns, and first responders or doctors treating patients.

Only Confidential Chemicals Covered

The number of chemicals covered by the EPA's proposal is a subset of the 86,228 chemicals that are or have been in U.S. commerce.

Of those 86,228 chemicals, 47 percent, or 40,655, have been actively in commerce since 2006, the EPA said in a February update of the Toxic Substances Control Act.

Most of those 40,655 chemicals—32,898, or 81 percent—have identities known to the public, according to the EPA. That means the precise identity of 7,757 chemicals, 19 percent, has been claimed as proprietary information. The total number of chemicals with confidential identities may grow before the rule is finalized due to new compounds entering the U.S. market.

The requirement that the EPA review confidential chemical identities was part of the 2016 Toxic Substances Control Act amendments' efforts to balance a company's legitimate need to protect its investments with people's right to know about the chemicals.

To contact the reporter on this story: Pat Rizzuto in Washington at prizzuto@bloombergenvironment.com

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Pat Rizzuto

Reporter

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- Proposed rule

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Chemical Makers Need to Better Explain Trade Secrets to EPA

(March 7, 2019, 5:11 PM)

EPA Must Disclose Chemical Safety Studies: House Committee Chair

(Jan. 31, 2019, 3:36 PM)

Activists Rip EPA Move to Withhold Chemical Health, Safety Data

(Dec. 17, 2018, 1:39 PM)

INSIDEEPA.COM ARTICLES

EPA's Toxics Office Eyes Addressing PFAS In Smaller Subclasses

EPA's toxics office is eying the possibility of eventually addressing per- and polyfluoroalkyl substances (PFAS) in small subclasses, an approach that would likely ease efforts to deal with the thousands of chemicals in the class though it could set up obstacles for industry if newer PFAS are part of a heavily regulated subclass.

GREENWIRE ARTICLES

FEDERAL WORKFORCE

Senators fear climate change could jeopardize retirements

Corbin Hiar, E&E News reporter

Published: Wednesday, April 10, 2019

Sens. Jeff Merkley (D-Ore.) and Maggie Hassan (D-N.H.). Senate/Wikipedia (Merkley); Renee Bouchard/Senate/Wikipedia (Hassan)

A pair of Democratic senators are asking Congress' in-house auditor to determine if a warming planet could hurt the retirement plans of federal employees.

While fund managers across the globe are moving to consider the impact of climate change on their investments, the federal Thrift Savings Plan (TSP) "appears to be ignoring the issue completely," Sens. Jeff Merkley of Oregon and Maggie Hassan of New Hampshire wrote to Gene Dodaro, the comptroller general of the Government Accountability Office (GAO).

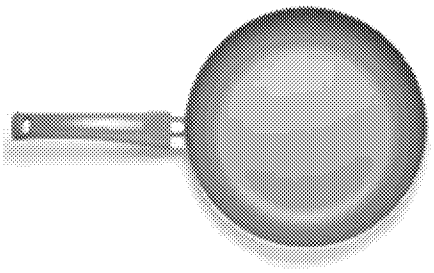
https://www.eenews.net/greenwire/2019/04/10/stories/1060152713

CHEMICAL WATCH ARTICLES

Precise GenX mechanism of toxicity eludes EPA scientists

Effects 'highly similar' to those of PFOS but cannot be ascribed solely to PPAR pathway

11 April 2019 / PFCs, Risk assessment, Toxicology



US scientists have failed to prove that the mechanism of toxicity for GenX compound HFPO-DA is the same as for PFOS and PFOA, despite identifying some similarities.

Their study of rats suggests that HFPO-DA causes "extensive" changes in gene activity relating to peroxisome proliferator-activated receptor (PPAR) signalling, a biological process known to be involved in PFOS and PFOA toxicity.

A team from the EPA and the National Institutes of Health (NIH) exposed pregnant rats to HFPO-DA and looked for changes in both the mothers and their offspring.

They found that GenX activated PPAR signalling pathways in maternal and foetal livers. The mothers had heavier livers, as well as lower levels of fats and thyroid hormones in their blood. The female pups had lower body weights and the males lower weights for their reproductive tissues.

Reduced pup weight "appears to be one of the most sensitive endpoints of *in utero* PFAS studies", and should be "more extensively evaluated for HFPO-DA exposure", write the researchers.

PFOS and PFOA affect in particular the alpha PPAR. However, the effects of HFPO-DA seen in the study cannot be ascribed solely to PPARalpha, the scientists say in their paper, published in *Environmental Health Perspectives* last week.

"Although findings in this study are consistent with other PPARalpha agonists ... data gaps exist for key events and other mechanisms that might be involved, particularly in other tissues besides those like the liver with high PPARalpha levels."

Led by Justin Conley from the EPA's Office of Research and Development, the researchers call for "extensive research" into possible toxicity mechanisms as well as studies into mixtures of multiple PFASs.

Worldwide water

GenX is a later generation, short-chain PFAS. It has been detected in river water worldwide and there are concerns over its persistence and mobility.

The EPA classifies the chemical as an "emerging contaminant" in need of more research. The agency has indicated that oral exposure to GenX – such as through drinking water – could impact the thyroid, reproductive organs and tissues, developing foetuses, and the kidney.

Germany and the Netherlands are evaluating GenX under the Community Rolling Action Plan (Corap) because of concerns over environmental exposure and persistent, bioaccumulative and toxic (PBT) properties.

Echa's Member State Committee has agreed that further information is needed for the evaluation, including a biomonitoring study of volunteer workers at a GenX plant, and a carcinogenicity study in mice.

In its substance evaluation decision, Echa describes PPARalpha as "the most extensively studied signal pathway behind PFOA induced carcinogenicity". However, it outlines areas of uncertainty relating to PPARalpha mechanisms.

Related Articles

- EPA releases draft toxicological profiles for two PFASs
- Echa MSC agrees to biomonitoring of GenX workers

Further Information:

- Paper (open access)
- Echa substance evaluation decision

CLP report examines poison centre mixture provisions issue

Workability suggestions for construction, paints and detergents sectors

11 April 2019 / Accidents, emergency response & poison centres, Built environment, Cleaning products, CLP Regulation, Europe

Cefic and other industry associations have welcomed an interim progress report on workability issues concerning the implementation of Annex VIII of the CLP Regulation.

The annex stipulates that from 1 January 2020 importers and downstream users will be required to notify national appointed bodies if they are placing hazardous substances in products on the consumer market. It will harmonise information relating to emergency health response (poison centres).

The report was commissioned by DG Grow and undertaken by consultant Wood Environment & Infrastructure Solutions UK. It was circulated at the meeting of the Competent Authorities for REACH and CLP (Caracal) on 19-20 March.

In separate papers circulated at the meeting, Cefic, European associations representing the construction product industries, as well as the soap and detergents group Aise, approved of the report.

However, they warned that issues remain unresolved and the deadline is "approaching fast".

Mixtures issue

One major issue relates to mixture components (substances or mixtures in mixtures) within the final mixture. This leads to frequent updates to authorities whenever the supplier is changed for a technically equivalent mixture component.

Industry understands from the Regulation that mixtures produced in an industrial setting (the original mixture) and integrated by a downstream formulator into a mixture for consumer/professional use (the final mixture) will be considered as mixtures for consumer or professional use.

The study examined the implications of this.

"In certain cases, due to the dilution of the original mixture in the final mixture, the information contained in the safety data sheet (SDS), if any, could be sufficient to provide the necessary information on the relevant mixture components," the report said.

In specific cases, applicable to the cosmetics sector, for example, it is also possible that the final mixture may be exempt from the scope of CLP because it is already covered under other related legislation.

In cases where the final mixture placed on the market for consumer/professional use is not covered by CLP, only the setting of the original mixture should determine the kind of notification required.

Therefore, if a mixture is initially used or formulated under industrial settings, but then becomes a 'mixture in mixture' by incorporation into professional/consumer use products (as the final mixture) outside of the scope of CLP, the original mixture should be notified as per the requirements for mixtures for industrial use.

This affects the construction, paints, soaps and detergents and fragrance sectors, among others.

Sector suggestions

Representatives of the construction products, cement and paint sectors suggest an approach where a mixture component is named, linking back to the unique formula identifier (UFIs) of different suppliers and an automated check completed by the Echa portal (based on parameters to be agreed) to confirm comparability, which would mean an update is not needed.

Meanwhile, the soaps and detergents sector suggests that technically equivalent mixture components (that are within a pre-defined equivalence criteria) could be notified in the original notification. After this the formulator could switch between notified equivalent components without the obligation to prepare and submit a notification update and generate a new UFI.

A number of the workability issues relate to the use of generic product identifiers (GPIs), including options to create new or amend existing GPIs, the report said.

The final report is expected in May.

Cost estimate

In its Caracal paper, Aise pointed out that if the workability issues are not resolved, the sector will incur heavy costs on a company level.

Mixes of technically equivalent raw materials are stored in the same silos prior to use. This means that it is "impossible" to know the exact composition of the mixture and comply with CLP Annex VIII as currently written, it said.

In order to get the exact composition for each production batch, a company will be forced to expand its raw material storage capacity on a supply chain basis. The cost per silo would be approximately €380,000.

Applying this estimate to a theoretical product, comprising six components with an average of three suppliers per raw material, storage requirements would increase from six silos to eighteen silos (six existing, twelve new), Aise said. This requirement would translate to an estimated additional cost of €4,560,000.

Luke Buxton

Europe editor

Related Articles

- EU CLP poison centres notification deadline 'impossible' to meet

Further Information:

- Study report
- Cefic paper
- Aise paper
- Construction products paper

Paper, board sectors release amended FCM guidelines

11 April 2019 / Europe, Food & drink, Food contact, Food contact Regulation 10/2011

The paper and board manufacturing industry has rewritten voluntary guidelines on how to meet the highest safety standards for use of their products in food contact materials (FCMs).

The publication, *Food contact guidelines for the compliance of paper and board materials and articles,* is intended to "enhance the trust" of public authorities, business operators and consumers in the safety of paper and board materials in FCM applications.

This technical document was first published in 2010 and updated in 2012.

The guidelines take into account the increasing need for a compliance monitoring tool that covers:

- risk management;
- product design;
- material selection;
- Good Manufacturing Practice; and
- process monitoring and control.

The EU's FCM Framework Regulation provides rules on use of the materials in the EU. However, only some types – such as those containing plastic – are covered by specific, harmonised European legislation; paper and board FCMs are not among these.

"The lack of a specific EU wide measure for paper and board, including tissue, has created a disadvantage in the market because compliance for these materials is perceived to be less clear than for plastics in contact with food," Angelika Christ, secretary general of European Federation of Corrugated Board Manufacturers (FEFCO), said.

"Whenever the European Commission decides to choose paper and board as its next priority for regulation, the guidelines could be used as a starting point."

The voluntary guidelines are a joint effort between:

- The Alliance for Beverage Cartons and the Environment (ACE);
- CEPI Container Board (CCB);
- The Confederation of European Paper Industries (CEPI);
- Confederation of International Converters of Paper and Board in Europe (CITPA);
- The European Carton Makers Association (ECMA);
- European Tissue Paper Industry Association (ETS); and
- European Federation of Corrugated Board Manufacturers (FEFCO).

In October last year the European Commission's Directorate General for Health and Food Safety (DG Sante) has officially started the evaluation process for the EU's food contact materials legislation. Since basic provisions set out 42 years ago, the EU legislation has never been evaluated.

The public consultation on the evaluation is open until 6 May.

Related Articles

- Experts support action on PFASs in paper, board FCMs
- EU Commission begins evaluation of FCM regulation

Further Information:

- Press release

- Rewritten guidelines
- FCM Framework Regulation

Canada provisionally clears phenol-formaldehyde resins, certain oils

11 April 2019 / Canada, Risk assessment

The Canadian government has provisionally determined that eight substances referred to collectively under the Chemicals Management Plan (CMP) as the phenol-formaldehyde resins group do not pose significant risks to human health or the environment.

A draft screening assessment indicated that the substances do not meet the criteria of section 64 of the Canadian Environmental Protection Act, 1999 (Cepa). As a result, the health and environment ministers propose taking no further action on the eight, which are:

- phenol, polymer with formaldehyde;
- formaldehyde, polymer with 4-(1,1-dimethylethyl)phenol;
- formaldehyde, polymer with 4-(1,1-dimethylethyl)phenol, 4,4'-(1-methylethylidene)bis[phenol] and 4-methylphenol;
- formaldehyde, polymer with N,N'-bis(2-aminoethyl)-1,2-ethanediamine and phenol;
- formaldehyde, polymer with 4-(1,1-dimethylethyl)phenol and 4,4'-(1-methylethylidene)bis[phenol];
- formaldehyde, polymer with ammonia, 2-methylphenol and phenol;
- cashew, nutshell liq, polymer with formaldehyde and phenol; and
- benzenesulfonic acid, hydroxy-, monosodium salt, polymer with formaldehyde and 4,4'-sulfonylbis[phenol].

The draft assessments were published on 6 April, and it is expected that the final screening assessment will be published in April 2020.

The substances as a group do not occur naturally in the environment, and are prepared industrially for multiple uses, including as adhesives and sealants. They are used in manufacturing in multiple industries, including plastics and food packaging.

All were provisionally determined to exhibit low ecological risk due either to their low import and manufacturing quantities, or to their low water solubility/extractability. They are also likely to present low or no risk of harm to human health.

In a separate assessment, the government has also provisionally concluded that eight substances of the used and re-refined oils group do not meet section 64 criteria.

Further Information:

- Canada Gazette notice
- Phenol-formaldehyde draft assessment

- Oils draft assessment

Nordic countries push for global agreement on ocean plastics

Declaration asks for study on specific measures to combat pollution

11 April 2019 / Europe, Microplastics, Plastics

Nordic environment and climate ministers are urging firmer action to combat plastic and microplastic pollution in seas and oceans.

The ministers stressed it is a global problem and more concrete measures need to be implemented worldwide in order to make progress. They acknowledge recent wider recognition of the issues, but decry a "lack of focus on the need for stricter and more committal global governance".

At their meeting on 10 April, they signed a declaration of 11 key commitments. This was sent to EU governing bodies, Unep, the G7 and G20.

In it, the ministers ask the Nordic Council of Ministers to prepare a study to consider which specific elements should be included in a global agreement to combat microplastics and plastic waste in the marine environment.

The Nordic Council is an official body for formal inter-parliamentary cooperation among the Nordic countries of Denmark, Finland, Iceland, Norway, Sweden and their associated territories.

UN input

In March, the fourth UN Environment Assembly (Unea-4) decided that the intergovernmental process relating to marine litter and the proliferation of microplastics and the expert group created to identify stronger international governance structures, should continue.

The Nordic report will be submitted to the UN expert group before it meets again at the end of the year.

In addition, it will serve as "useful input" in efforts to refine the EU's position ahead of the fifth UN Environment Assembly in 2021, the Nordic ministers said.

"The Nordic region must be a pioneer in reducing the environmental impact of plastics. With this declaration, we are continuing to take the lead globally," said Guðmundur Ingi Guðbrandsson, environment minister for Iceland, which currently holds the presidency of the Nordic Council of Ministers.

Governments and authorities in the EEA have been taking measures to tackle the issue of plastic pollution.

In January last year, the European Commission published the EU plastics strategy, which is one of five priority areas adopted by the EU action plan for the circular economy.

And earlier this month, Echa started a public consultation on its restriction proposal for intentionally added microplastics in products.

Declaration

The Nordic environment and climate ministers:

- note with concern rapidly increasing levels of marine plastic and microplastic litter as a global environmental problem, and a serious threat to the marine environment and services and livelihoods such as fisheries, maritime transport, recreation and tourism;
- stress the importance of Unea resolution 3/7, and its long-term ambition of eliminating discharge of plastic litter and microplastics into oceans to avoid detriments to marine ecosystems and human activities dependent on them, as a guiding objective;
- welcome Unea resolution 4/7 'Marine Litter and Microplastics', including the extension of the Ad Hoc Open Ended Expert Group to continue analysing relevant response options at all levels;
- recall UN Sustainable Development Goal (SDG) 11 to prevent and significantly reduce marine pollution, in particular from land-based activities by 2025, and underline the need for stronger global response for effective implementation of measures to reach this goal and prepare for post-2025 action;
- affirm that prevention and reduction of marine plastic litter and microplastics from both land and sea sources constitute an essential contribution to achieving the SDGs and the long-term ambition of elimination of pollution;
- stress that stronger action is urgently needed but it is a global issue that cannot be solved by one country alone. And that effective, dedicated international governance is needed to address existing gaps and promote coherence, coordination and effective prioritisation of efforts;
- call for monitoring and assessment of sources and quantities of plastic litter in Nordic seas, to inform management action to reduce inputs of plastic;
- call for an integrated approach to the development of a global agreement, to more effectively and comprehensively deal with the issue of marine plastic litter and microplastics;
- agree to financially support a Nordic report that sketches out possible elements of a global agreement that would address the whole lifecycle of plastics to prevent marine pollution from plastic litter from land- and sea-based sources;
- encourage other interested actors to join the call for a new global agreement and actively participate in the Ad Hoc Open-Ended Expert group established by Unea; and
- commit to use their roles as leaders to work towards an ambitious outcome at Unea's fifth session in 2021.

Luke Buxton

Europe editor

Related Articles

- River project to study BPA release from microplastics
- PFAS cost to EEA health estimated at up to €84bn – report
- Cross-party agreement bolsters Danish microplastic efforts
- Norway finds microplastics at bottom of North Sea
- Sweden adopts microbeads ban in rinse-off cosmetics
- Unea4 adopts resolutions to push forward sound management of chemicals
- Belgium gears up for voluntary microplastics ban
- EU prepares comprehensive microplastics restriction
- Echa begins consultation on microplastics restriction proposal

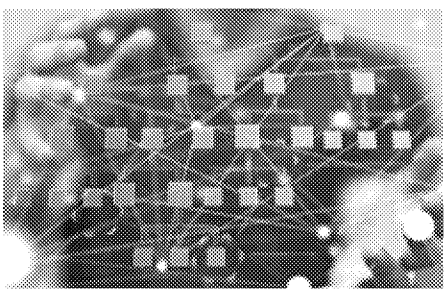
Further Information:

- Press release
- Ministerial declaration

AOP knowledge base reveals thousands of possible toxicity mechanisms

EPA and Environment Canada network existing data

11 April 2019 / North America, Risk assessment, Toxicology



Scientists from the US EPA and Environment and Climate Change Canada have networked existing adverse outcome pathways (AOPs) to reveal thousands of potential new toxicity mechanisms.

An AOP links the first step on a toxicity pathway – the molecular initiating event (MIE) – to a final adverse outcome, via a series of key events. Led by EPA mathematician Nathan Pollesch, the scientists used relationships between these key events to network 187 AOPs stored in the AOP knowledge base (AOP-KB), hosted by the OECD.

Their analysis shows more than 9,000 "unique, previously undescribed pathways". Each pathway represents a potential toxicity mechanism, although the authors acknowledge that they will not all be biologically plausible.

"As crowd-sourced contributions to the AOP-KB continue to accumulate, the resulting network of AOPs grows not only in complexity but also in its potential for revealing previously undiscovered relationships and knowledge," the scientists write in *Toxicological Sciences*. However, assessing and curating the large amount of emergent AOP information will be a "major challenge", they caution.

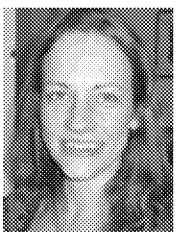
As a repository alone, the AOP-KB is useful for the toxicological community but it has additional value as a "source of novel emergent knowledge", they conclude.

The knowledge base facilitates sharing of knowledge captured in AOPs that we know, but also helps to generate knowledge about the ones we know less about, said Maurice Whelan, head of systems toxicology at the Joint Research Centre's Institute for Health and Consumer Protection.

"Although the extent of toxicological space currently captured in the AOP-KB is rather modest overall, I think we're now beginning to see the power of capturing mechanistic knowledge in this structured, collaborative and machine-friendly way," he added.

Two of the paper's authors – Dan Villeneuve from the EPA and Jason O'Brien from Environment Canada – will present at a free OECD webinar on the AOP framework on 30 April 2019.

The AOP-KB is an OECD initiative run with the European Commission's Joint Research Centre, US EPA, and US Army Engineer Research and Development Center. It has four platforms: AOP-Wiki, Effectopedia, AOP Xplorer and Intermediate Effects DB.



Dr Emma Davies

Reporter

Further Information:

- Journal abstract
- AOP-KB
- OECD webinar on 30 April 2019

Brazil shelves chemicals bill 'until further notice'

Potential impact on OECD membership

11 April 2019 / Brazil, Chemical production & transport

Brazil's environment minister has shelved the country's draft chemicals bill, according to a government source.

The bill, which has been sitting with the Civil House since January, was awaiting review by the country's president, Jair Bolsonaro.

However, Mr Bolsonaro, who took office on 1 January, has sent the bill back to his environment Minister Ricardo Salles (pictured), who has shelved it without review, the source says.

All scheduled meetings of the working groups tasked with reviewing and shaping the draft bill for final approval have been cancelled "until further notice". Some Brazilian industry sources say that they have been dropped for the rest of the year.

OECD accession

The source says this "demonstrates that there is no intention to send the proposal back to the presidency, despite being informed about its importance under the OECD membership process".

In 2017, Brazil applied to become a full OECD member country. It has not yet been invited to start the process of accession but if it is, the country will have to show its ability and willingness to implement the OECD council acts related to chemical safety.

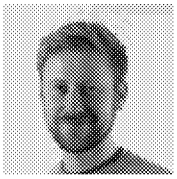
Brazil's bill, if adopted, would have addressed some of those council acts, such as the Decision-Recommendation on the Systematic Investigation of Existing Chemicals. However, the OECD would need to confirm this through a more in-depth evaluation during the accession process.

The bill would establish a national chemicals register and technical committees for selecting substances and imposing regulatory measures.

UN funding

In December last year, UN Environment granted Brazil more than $400,000 to help implement its chemicals bill, once adopted. This money will also be used to implement the Basel, Rotterdam, Stockholm and Minamata Conventions, as well as activities under the UN's voluntary chemicals programme, the Strategic Approach to International Chemicals Management (Saicm).

However, with the future of Brazil's draft chemicals bill looking uncertain, it is not yet clear whether this will have any repercussions on the funding granted.



Leigh Stringer

Global Business Editor

Related Articles

- Brazil's draft chemicals policy with president's office

Further Information:

- Chemicals Bill

'Free from' claims in cosmetics face possible EU restrictions

Member states can choose whether to implement new rules from July

11 April 2019 / Cosmetic products Regulation, Europe, Food & drink, Food contact, Voluntary action

The cosmetics industry has been warned that from 1 July it might need to stop using 'free from' claims on products containing substances listed in the annexes of the cosmetics products Regulation.

Speaking at the In-Cosmetics global regulatory conference in Paris on 1 April, a representative from trade association Federation of Beauty Companies (Febea) spelled out implications from an EU guidance document to delegates.

The federation's science and regulatory affairs vice president Anne Dux reminded the conference that Annexes III and IV from the document could be applicable in certain member states in the summer.

Annex III provides guidance for the application of the European Commission regulation of 2013 laying down common criteria for the justification of 'free from' claims in cosmetic products, including illustrative and non-exhaustive examples.

Annex IV issues advice on the application of the common criteria to the specific type of claim 'hypoallergenic'.

The criteria are on legal compliance, truthfulness, evidential support, honesty, fairness and informed decision-making.

The document, which was generated by a working group chaired by the Commission in 2017, is a tool to help member states decide what kind of 'free from' claims could be made into national law, Dr Dux said. It is not legally binding and member states can each decide if they want to adopt it.

Among the examples of claims which will no longer be allowed according to the common criteria are:

- 'free from corticosteroids' – these are banned by EU cosmetics legislation (legal compliance);
- 'free from preservatives' should not be used when a product contains an ingredient showing a protective effect against microorganisms (honesty);
- 'free from allergenic/sensitising substances' is not allowed, as a complete absence of the risk of an allergic reaction cannot be guaranteed (honesty);
- 'free from parabens' should not be accepted, as it denigrates the entire group of parabens (honesty); and
- 'free from perfume' should not be used when a product contains an ingredient which exerts a perfuming function in the product, regardless of its other possible functions (honesty).

Dr Dux recommended companies use 'not perfumed' instead.

Permitted claims

However, Dr Dux told delegates that industry will still be able to use 'free from' claims for ingredients that are not in the annexes of the cosmetics Regulation and comply with the common criteria.

But decisions to include such claims must allow for an "informed choice to a specific target group", such as for children, she added.

Examples provided in the technical document include the 'free from alcohol' claim, for instance in a mouthwash intended as a family product, and the 'free from animal-derived ingredients' which is applied to products for vegans.

Hypoallergenic claim

Annex IV of the technical document targets the use of the claim 'hypoallergenic'. It states that the claim can be used when the cosmetic product has been designed in a way that minimises its allergenic potential.

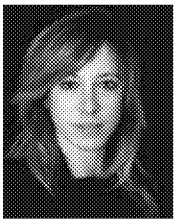
The problem with that, Dr Dux said, is that in reality "any ingredient could lead to an allergic reaction", even those considered as hypoallergenic.

According to the Commission, the presence of known allergens or allergen precursors should be totally avoided when the substance:

- is identified as a sensitiser by the European Commission's Scientific Committee on Consumer Safety (SCCS) or other relevant committees;
- falls under the classification of skin sensitisers of category 1, sub-category 1A or sub-category 1B, on the basis of CLP criteria;
- is identified by the company on the basis of the assessment of consumer complaints;
- is generally recognised as a sensitiser in scientific literature; or

- has missing relevant data on its sensitising potential.

The conditions mean it is "nearly impossible to claim that this product is hypoallergenic any longer", Dr Dux added.



Caterina Tani

Europe reporter

Further Information:

- EU technical document
- In-Cosmetics conference programme
- Commission Regulation laying down common criteria for the justification of claims
- Cosmetic products Regulation

US agencies set to study health effects of PFASs

Investigation will not assess whether substance causes cancer

11 April 2019 / Risk assessment, Toxicology, United States

Two US agencies plan to fund a study of the human health effects of per- and polyfluoroalkyl substances (PFASs), especially via drinking water exposure.

The 1 April announcement from the Centers for Disease Control and Prevention (CDC) and the Agency for Toxic Substances and Disease Registry (ATSDR) said the study will look at the associations between PFAS compounds and:

- lipids;
- renal function;
- kidney disease;
- thyroid hormones and disease;

- liver function and disease;
- glycaemic parameters;
- diabetes; and
- immune response and function in both children and adults.

It will focus on six yet to be selected communities where there has been current or past presence of PFASs in drinking water. The draft protocol outlines its structure, calling on researchers to recruit at least 2,000 children and 6,000 adults.

"Understanding the relationship between exposure and health outcomes will allow communities and governmental agencies to make science-based decisions about how to protect public health," said the agencies.

However, the announcement has come in for some criticism. The NGO Public Employees for Environmental Responsibility (PEER) is concerned that the agencies will not assess whether exposure to PFAS causes cancer.

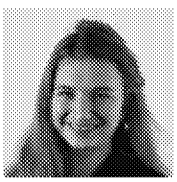
The organisation describes the omission as "perplexing", and on 4 April sent a letter to CDC director Robert Redfield, asking him to intervene "to ensure that the study addresses the cancer risks of exposure to PFAS as part of its study, or to lay out an alternative plan … for the CDC to study cancer and PFAS."

"There's no harm in at least studying it," Kyla Bennett, PEER science policy director, told Chemical Watch. "It seems like the CDC is burying its head in the sand if they aren't going to look at carcinogenicity."

Applications for participation in the study will be accepted until 30 May.

PFASs have been used for several decades as surfactants in fire retardants, in furniture, food packaging and non-stick cookware, among other uses, though they have drawn increasing attention for their biopersistence and potential for human toxicity. Where long-chain PFASs (such as PFOA and PFOS) have been phased out in recent decades, short-chain chemistries have largely replaced them. Questions remain about the human health effects of these.

The CDC and ATSDR are also conducting a separate study of the impact of PFAS-containing firefighting foam on communities around military bases.



Lisa Martine Jenkins

Americas reporter

Related Articles

- US NGO seeks 'moratorium' on new PFASs
- Eight US sites chosen for PFAS firefighting foam contamination studies

Further Information:

- CDC announcement

- PEER press release

Researchers urge more protection for workers from organic flame retardants

Further evaluation of replacement substances required

11 April 2019 / Electrical & electronics, Europe, Exposure monitoring & measurement, Risk assessment

More attention should be given to protecting workers exposed to organic flame retardants, according to new research. The workers most at risk are identified as electronic waste recycling staff, electronic manufacturers, firefighters and aircraft personnel.

Organic flame retardants (FRs) are added to many common goods and some, such as polybrominated diphenyl ethers, are toxic. While many of these toxic products have been removed from the market, legacy goods are still present in workplaces, the researchers report in the UK's *Annals of work exposures and health*.

One issue with exposure to FRs is that the effects are not instantly noticeable to workers because they do not irritate the lungs.

"Some have been shown to be associated with endocrine disruption, which can have detrimental effects on health," according to the lead author, Sabrina Gravel from the Institut de Recherche Robert-Sauvé en Santé et en Sécurité du Travail (IRSST) and the Department of Environmental and Occupational Health at the University of Montreal.

In order to replace toxic FRs, manufacturers are using compounds such as organophosphate esters (OPEs) and novel brominated substances. The review, *Assessment of occupational exposure to organic flame retardants,* recommends that the toxicity of these newer substances should be further evaluated. "The industry is coming up with new substances faster than we can study them," added Ms Gravel. "We don't know with very solid evidence what the potential toxic effects are."

The review also found a lot of inconsistency in the methods used to measure workers' exposure. This needs to be addressed, according to Ms Gravel, who recommends that more standardised procedures are used across industry for air and dust sampling.

Knowledge of exposure pathways also allows better protection of workers. Inhalation is the main pathway researched for FR exposure but the review states that other pathways, such as involuntary ingestion and skin permeation, need more research.

The findings of another project by the IRSST, which looked at the effect of FR exposure in electronic waste recycling, will be published in the coming months. It recommends engineering controls such as ventilation to reduce the amount of dust in the air. "Protective equipment is always recommended when you have airborne particles, but it's the least effective control measure," Ms Gravel added.

Maria Delaney

Reporter

Further Information:

- Assessment of occupational exposure to organic flame retardants: a systematic review, abstract

California bill to ban certain cosmetics stalls in committee

Effort to prohibit formaldehyde, parabens, phthalates pushed to next year

11 April 2019 / Metals, Parabens, Personal care, Phthalates, US states

A California bill to ban cosmetics containing any of more than a dozen substances of concern has been placed on hold until next year.

The Toxic Free Cosmetics Act (AB 495) seeks to prohibit the sale of cosmetics containing asbestos or lead, as well as those with intentionally added ingredients like formaldehyde, toluene, triclosan, PFASs and certain parabens and phthalates.

But the bill hit a roadblock at a committee hearing this week, when it became clear that the votes were not there to pass the measure through the Assembly Committee on Environmental Safety and Toxic Materials.

Susan Little, senior advocate of California government affairs at the Environmental Working Group – which is sponsoring the bill – told Chemical Watch that some legislators were concerned that not all of the chemicals included in the bill have been banned outright elsewhere in the world, but rather have only been restricted.

Lawmakers, she added, want to see "conclusive evidence" that people are getting sick from specific ingredients, rather than acting on their potential to cause harm.

An agreement was therefore struck, she said, to bring the bill back again in January after its backers work with the committee chair and other members "to come up with a proposal they felt more comfortable with".

"We are in the process now of looking at what sort of language will be workable for them; it will be similar to what we have now, but focusing more on chemicals that have been banned outright by other nations," she said.

Opposition

The Personal Care Products Council's Jay Ansell was among those who testified at the 9 April hearing in opposition to the bill. It would "adversely affect tens of thousands of products and potentially compromise the ability to provide consumers with the safe, high-quality products they expect," he said.

Among the trade group's concerns is that the bill would ban whole classes of widely used preservatives, which could deprive industry of having a suitable pallet of substances to ensure products remain free from contamination.

And the PCPC opposes the prohibition on naturally occurring impurities, like lead, which are not intentionally added to products and often have impurity limits in cosmetics already established.

The California Chamber of Commerce and the PCPC have both argued that California's Safer Consumer Products (SCP) programme is a more appropriate venue to address ingredient safety concerns.

'Not immediately embraced'

Despite the setback, Ms Little said the EWG is hopeful that the measure will regain traction next winter.

"It's the first bill of its kind," she said. "Typically when these types of bills are up first they're not immediately embraced, so there needs to be a little more discussion and education of the members."

But, she added: "We have a strong commitment from the chair and other members on the committee to keep this bill alive and spend some time to determine how to craft it so that they're comfortable moving it [forward] in January."

Kelly Franklin

North America editor

Related Articles

- California, Rhode Island consider expanding cosmetics ingredient disclosure

Further Information:

- AB 495
- EWG bill resources
- PCPC testimony
- CalChamber blog

Voluntary EU cosmetics digital ingredients initiative underway

Third phase of Cosmetics Europe project on consumer information

11 April 2019 / Cosmetic products Regulation, Data, Europe, Personal care

Manufacturers of cosmetics products in the EU are voluntarily implementing an initiative to provide consumers with information on ingredients in a digital format.

The roll-out is the third phase of a scheme developed by trade body Cosmetics Europe.

The first phase of the Future of Mandatory Consumer Information project, carried out from 2015-16, was an assessment of current legal requirements for labelling and recommendations for the future. Phase two was a pilot on digital ingredients which gauged consumer response and technical feasibility for companies and retailers.

Phase three started this year and will run until 2020.

"Companies are gradually, and voluntarily, making product ingredients lists accessible to consumers digitally, wherever possible in coordination with retailers," Cosmetics Europe told Chemical Watch.

The idea is to include a symbol on the packaging of cosmetics products which tells the consumer that details about the constituents are available online.

"It is up to companies whether they do it via QR codes or barcodes printed on the label, or only at the online point of sale," the trade body added. It is planning to communicate further on the topic "once the initial take-up of the initiative by companies is evaluated".

Benefits

More details about the project were shared by Anne Dux from the Federation of Beauty Companies (Febea) at the In-Cosmetics conference in Paris on 1 April. Febea is a member of Cosmetics Europe.

The digital list could bring "a lot of benefits" for consumers, manufacturers and retailers, she said. These include:

- control over information on ingredients in cosmetic products – some NGO-led smartphone applications have conveyed "misleading" hazard-based information on ingredients, she said;
- additional potential for market advantage by increasing engagement with consumers and by responding to their demand for (digital) information on ingredients;
- digital communication with retailers – something they are increasingly requesting;
- an "image boost" by modernising the format and the ability to easily share information with other consumers and health professionals; and
- savings to cost and time cost – illustrations on paper labels would need to be updated in the case of formulation changes.

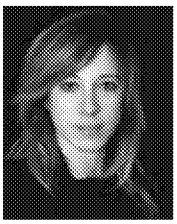
Another good reason, she added, is that companies sell to EU-wide markets with different language demands. To put 24 languages on each label on the packaging is "very difficult".

Pilot promise

The pilot project, carried out between 2017 and September 2018, showed that the digital mode of accessing the ingredients list is a "viable option, welcomed by a significant proportion of consumers, be they habitual users of internet or not", Cosmetic Europe said.

"It is also technically feasible and it can be manageable if implemented gradually by companies".

The trade body urged its members to "consider the voluntary and gradual" implementation of the digital ingredients list.



Caterina Tani

Europe reporter

Related Articles

- 'Free from' claims in cosmetics face possible EU restrictions

Further Information:

- Cosmetics Europe
- Febea presentation slide

New York legislators drop ingredient disclosure proposal

'Dangerously vague' proposal omitted from 2020 budget package

11 April 2019 / Cleaning products, Confidentiality & right-to-know, Personal care, US states

A proposal from New York Governor Andrew Cuomo to require increased ingredient disclosure in consumer products has been excluded from the state's budget.

Floated in January as part of the governor's 2020 executive budget legislation, the 'Consumer Right to Know Act' would have expanded the state's existing cleaning product ingredient disclosure scheme to personal care products and introduced new labelling requirements for a variety of consumer products.

But state legislators sent the governor a 2020 budget package earlier this month that dropped the concept. The relevant section in the Transportation, Economic Development and Environmental Conservation (TED) funding bill (S 1508C) is listed as "intentionally omitted".

The Household Consumer Products Association welcomed the move. The group said the governor's proposal would have put in place disclosure requirements that were "dangerously vague and ultimately unworkable."

The American Cleaning Institute added that it is thankful the legislature is "taking a thoughtful approach to cleaning product ingredient communication."

The two trade groups are currently engaged in litigation over the state's existing chemical ingredient programme.They filed a suit last year in opposition to the "unworkable and impractical" scheme.

The state's Department of Environmental Conservation (DEC) delayed the 1 July compliance deadline to October, to allow the state attorney general's office more time to weigh the programme's potential implications.

'Not by any means the last opportunity'

Controversy over the state's existing scheme notwithstanding, Kathleen Curtis, executive director of NGO Clean and Healthy New York, told Chemical Watch the state "missed a golden opportunity to protect people and communities from toxic chemicals" by failing to enact the governor's proposal.

But she said the move "is not by any means the last opportunity, nor does it indicate a lack of support for the concept."

"The New York state legislature remains both willing and able to require disclosure of toxicants in products, and take action when strong science suggests restrictions are in order," she added.

The ACI said in a statement shared with Chemical Watch that the consumer products supply chain is "fully committed to providing consumers with information that is scientifically based and accurate."

"[We] hope that we can work with the Assembly and Senate to achieve a workable, pragmatic solution," it added.

The HCPA and ACI have advocated for following California's ingredient transparency law as a national model.

Kelly Franklin

North America editor

Related Articles

- New York governor announces proposal to expand ingredient disclosure
- New York finalises cleaning products disclosure policy

- ACI, HCPA sue New York over cleaning products disclosure policy
- New York state delays enforcement of cleaning products disclosure
- Industry groups push 'California model' of right-to-know laws
- California cleaning disclosure bill unites NGOs and industry

Further Information:

- 2020 budget documents
- S 1508C

Brexit: REACH registration transfers exceed 5,000

11 April 2019 / Brexit, Europe, REACH, Substance registration

Over 5,000 UK-based companies have now initiated transfers of their REACH registration transfers to EU27 entities ahead of a potential no-deal Brexit scenario.

According to the latest figures from Echa, 5,200 companies took the initiative using the agency's Brexit window, which will stay open "subject to further developments".

Such transfers are necessary for UK companies to continue to have access to the single market if the country leaves the EU without a deal.

The UK was due to leave the trade bloc on 29 March but secured an extension until 12 April following a lack of support for Theresa May's withdrawal deal in parliament.

On 10 April, the EU agreed to allow the UK an extension until 31 October to break the impasse. The UK must now hold European elections on 23 May, or leave on 1 June without a deal.

Related Articles

- Echa registration transfers ahead of Brexit reach 4,800
- Government urges industry to be ready for UK REACH

Further Information:

- Echa Brexit page
- Echa advice to companies

US Congress round-up

11 April 2019 / CMRs, PFCs, United States

Congress see reintroduction of sustainable chemistry bill

Both chambers of Congress are considering legislation aimed at supporting the development of substances and products that pose fewer negative environmental and human health effects.

According to its backers, the Sustainable Chemistry Research and Development Act of 2019 aims to encourage the development of "new and innovative chemicals, products and processes with an improved environmental footprint through efficient use of resources, reducing or eliminating exposure to hazardous substances, or otherwise minimising harm to human health and the environment."

The bill has been endorsed by the American Chemistry Council (ACC), the Environmental Working Group (EWG), the American Sustainable Business Council (ASBC) and a variety of other trade groups and corporations.

Past sessions of Congress have seen the introduction of similar measures.

House Dems blast formaldehyde prioritisation

Two Democrats have declared it "unacceptable" that the US EPA omitted formaldehyde from its Integrated Risk Information System (IRIS) programme list of priorities

In a letter to the agency's Administrator Andrew Wheeler, Eddie Bernice Johnson (D–Texas) and Mikie Sherrill (D–New Jersey) – both leaders on the House of Representatives' science committee – said that the EPA's naming formaldehyde a high priority under TSCA, but not one under IRIS is "absurd".

"These processes are not mutually exclusive, nor do they serve the same purpose, and it is unacceptable that the agency is apparently treating them as such," they wrote.

The Congresswomen have requested that the EPA provide a briefing on the issue.

PFAS Registry Act

Senators Jeanne Shaheen (D–New Hampshire) and Mike Rounds (D–South Dakota) have introduced the PFAS Registry Act.

The legislation would create a database for veterans and armed service members who are experiencing health problems that could have been caused by exposure to per- and polyfluoroalkyl substances (PFASs). This could be used to inform them about scientific developments on the effects of PFAS exposure and point them to resources and treatment options.

Related Articles

- Sustainable chemistry bill reintroduced in US Senate
- Balancing innovation and compliance
- EPA may 'restart' IRIS assessment of formaldehyde
- EPA names priority candidates for TSCA evaluations
- NGOs blast TSCA formaldehyde prioritisation as 'confusing and deceptive'

Further Information:

- Sustainable chemistry bill

- Formaldehyde letter
- PFAS Registry Act

US EPA round-up

11 April 2019 / Substance notification & inventories, TSCA, United States

EPA formally publishes 13 Snurs

The US EPA has published in the *Federal Register* significant new use rules (Snurs) for 13 substances that were released in pre-publication form earlier this month. The rules represent the first time since TSCA was amended in 2016 that the agency has issued Snurs in the absence of a consent order to address concerns with a reasonably foreseen use of a new chemical being brought to market.

NGOs, however, have described this 'Snur-only' approach as "unlawful".

The rules take effect on 4 June.

Agency watchdog flags up 'inaccurate' TRI data

The EPA's Office of Inspector General (OIG) has issued an "immediate management alert" to notify the public of its discovery of "inaccurate" toxics release inventory (TRI) data related to releases of hazardous substances from publicly owned treatment works (POTW).

According to the internal watchdog, an investigation identified discrepancies between the total pounds of chemicals released to the environment as reported in the publicly available TRI data for 2013-17 versus information provided by the agency.

The OIG said its audit is ongoing, but it found this "to be of sufficient concern to warrant immediate reporting." It will post any response from the EPA on its website.

Related Articles

- EPA to finalise 13 Snurs in the face of NGO protest
- EPA uses first 'Snur-only' approach under amended TSCA
- NGOs call US EPA's 'Snur-only' approach 'unlawful'

Further Information:

- Federal Register notice
- OIG report

US EPA issues proposal for CBI substantiation

Agency lays out plan for confirming substance identity protection claims under TSCA

11 April 2019 / Confidentiality & right-to-know, Substance notification & inventories, TSCA, United States

The US EPA has issued a proposed rule that would establish a procedure for confirming certain confidentiality claims under TSCA.

The proposal, which was developed in accordance with the 2016 amendments to TSCA, relates to existing claims to protect as confidential business information (CBI) the specific chemical identity of an active substance.

There are 7,757 active confidential substances, according to the 19 February update to the TSCA inventory.

The EPA is required to put a final rule in place within one year of publishing its updated 'active-inactive inventory', outlining how companies must substantiate these claims. The agency then must complete reviews of that substantiation within five years, or by 19 February 2024.

The procedure applies to companies that asserted a confidentiality claim during the 2017-18 inventory notification reporting process ('inventory reset') in a Notice of Activity (NOA) Form A submission.

The EPA has proposed to exempt claims that have otherwise been substantiated in the past five years. But companies would still need to report and identify these past submissions to the agency.

Substantiation process

The EPA has proposed to require that all substantiation, or request for exemption, be filed electronically no later than 90 days after the final rule takes effect.

The types of substantiation required to demonstrate the confidentiality claim include:

- demonstration that disclosure of the information would likely result in substantial competitive harm;
- steps the business has taken to protect the confidential information;
- outcomes of previous confidentiality determinations by the EPA, other federal agencies or a court; and
- a statement certifying the accuracy of the information.

The agency plans to review submissions – together with previously issued confidentiality determinations and other reasonably available information – to "determine the information's entitlement to confidential treatment".

Approved claims will be valid for a ten-year period. If, however, the EPA denies a claim, it would notify the submitter of its intent to disclose a chemical identity 30 days before doing so. Submitters could challenge a denial in court.

For those claims that are not notified within the 90-day timeframe, the EPA is proposing to consider them "deficient" and to make those chemical identities public without further notice. The agency, however, has requested comment on

the validity of this, particularly for those cases where a party may have substantiated the claim within the past five years but simply failed to notify them.

Review procedure

The EPA says it intends to complete its reviews by the 2024 deadline. It will set annual goals that "take into consideration this target completion date, the number of claims needing review and available resources."

And it said it may begin reviewing claims that were already voluntarily substantiated during the inventory reset process (subject to the outcome of pending litigation on that rule – see box), or for those substances that "appear to be clearly not entitled to protection from disclosure based upon other information," even before the final rule takes effect.

The agency plans to publish annual updates on its goals and completed reviews.

Although there is the possibility of a two-year extension, it does not currently anticipate a need for it; however, "possible justifications" for an extension might include competing TSCA obligations or litigation over the process.

There will be a 60-day comment period on the proposed rule.

Outcome of CBI litigation looms

Even as the EPA's CBI procedure takes shape, litigation is ongoing over its treatment of confidentiality under the amended TSCA.

The Environmental Defense Fund sued the agency over its inventory notification rule in 2017, alleging that the rule inappropriately allowed any person to maintain an existing confidentiality claim, regardless of whether they were the original claimant.

The EPA has defended in court, however, that its interpretation of the statute was "reasonable".

Oral arguments in the case were heard last autumn, with a ruling possible before the year's end.

Kelly Franklin

North America editor

Echa, AskREACH trying to align SVHC databases

Industry wary of entering data twice

11 April 2019 / Confidentiality & right-to-know, Europe, SVHCs

Echa and the pan-European AskREACH project are "working closely together" to reach a harmonisation of their two SVHC databases, the German Environment Agency (UBA) has said.

The UBA addressed the overlap between the two projects in a workshop, *Compliance digital – Simplified corporate communication on SVHCs in articles*, in Berlin this week.

Both Echa and AskREACH are developing databases where companies feed in information on SVHCs in articles. The consumer and supplier awareness-focused AskREACH project was launched by the UBA and 19 project partners in September 2017. Echa's database came out of the revised waste framework Directive (WFD) that entered into force in July.

Although they will collect the same information, there are obstacles to joining up the two projects just yet, UBA's Ioannis Dosis told the workshop.

Echa can't tap into the information collected under AskREACH because it is legally tied under the WFD to build and operate its own database, he said.

The two projects also serve different purposes, with AskREACH fostering consumer awareness and supply chain communiction, and Echa's project aimed at waste operators.

In addition, they work to different timelines and use different identifiers for articles, as well as different formats for inputting the data, the UBA said.

But Mr Dosis said the two parties are "working together closely" and "exploring opportunities for synergies" between their two databases.

In any case, the consumer app that will be linked to the AskREACH database could become a "valuable add-on" for passing on information about SVHCs in articles to consumers, Mr Dosis said. And AskREACH will have access to the information held in Echa's database.

Industry concerns

With both projects gearing up for different launch dates, however, industry is wary of being asked to submit information on their products twice and in different formats.

This could discourage them from contributing to the voluntary AskREACH database and focus their resources on the mandatory Echa database instead, workshop attendees said.

Concerns at the meeting also centred on whether different players in the supply chain – from the manufacturer to the retailer – can input different information on the same article in the AskREACH database.

One attendee put forward the possibility of only the manufacturer having the right to input data on an article, saying it would be "sensible if information is added at the earliest point possible in the supply chain".

Addressing fears that other actors in the supply chain could enter false information without the article manufacturer knowing, the UBA said the latter will be notified of any changes to their articles' entries. And, it added, manufacturers will be encouraged to get involved in the project, by checking any information given by retailers.

Next steps

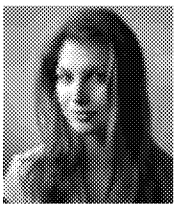
Companies can now take part in the project's beta test phase and start filling up the AskREACH database, the UBA said in Berlin.

The project is preparing to 'soft launch' the AskREACH app in June, with field testers visiting shops, scanning barcodes and sending SVHC information requests to the article suppliers.

Besides testing the app, this should help article suppliers prepare for the rising number of consumer requests, the UBA says. The agency expects about 3m app downloads and 30m Article 33 requests to suppliers across Europe, by the time the project finishes in August 2022.

The app will be fully launched in October, accompanied by consumer awareness raising campaigns that will run until early 2022. A supply chain communication tool for companies will also be launched in the autumn.

Echa, meanwhile, has until the end of the year to develop its SVHC database.



Vanessa Zainzinger

Biocides editor

Related Articles

- EU-wide consumer app aims to foster substitution of SVHCs
- Amended EU waste Directive to require notification on SVHCs in articles

Further Information:

- Workshop agenda
- AskREACH

Echa round-up

11 April 2019 / Accidents, emergency response & poison centres, Brexit, CLP Regulation, Europe, REACH

New poison centres notification format

Echa has released an improved version of its poison centres notification (PCN) format. The format structures the information on hazardous mixtures submitted to the member state appointed bodies.

Update to list of substances registered only by UK companies

The agency's list of chemicals that are registered only by UK companies has been updated. The list is intended to help companies prepare for Brexit.

It now contains 21 newly registered substances and 926 substances that were on the previous list.

Webinar on Iuclid 6

Echa will release an update to its Iuclid software package on 24 April with an explanatory webinar to follow on 29 April. Attendees can register online.

New CLH intentions

The agency has received new intentions from Sweden to harmonise the classification and labelling of:

- sodium chlorate: as oxidising liquid 1, H271 and acute toxicity 4, H302; and
- potassium chlorate: as oxidising solids 1, H271 and acute toxicity 4, H302 under REACH.

BoA rules against Echa in compliance check case

The Board of Appeal (BoA) has ruled in favour of a registrant that challenged Echa's refusal to take into account a dossier update that arrived after the agency had sent its draft decision to the registrant.

The board found that because the cut-off point was communicated in an inconsistent manner, German registrant BrüggemannChemical could not know unambiguously what its rights and obligations were.

The decision (case A-001-2018) is available on Echa's website.

Further Information:

- Poison centres notification
- Echa Brexit advice
- Iuclid 6 webinar registration
- Registry of intentions
- Board of Appeal

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A California Bill That Could Have Made Makeup Safer Has Failed

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